

**MAILED****AUG 31 2000**

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**SEP 06 2000**

☐ Watts, Hoffman, Fisher &  
 Heinke Co., L.P.A.  
 P.O. Box 99839  
 Cleveland, OH 44199-0839

Paper No. 36pb.

Appeal No.: 97-0144  
 Appellant: Hummel, Joseph  
 Serial No.: 08/424,223

Hearing: Room B  
 Docket: B  
 Date: October 26, 2000  
 Time: 1:00 p.m.  
 Place: Room 12C07

CRYSTAL GATEWAY 2  
1225 Jefferson Davis Highway  
Arlington, VA 22202

SEP 21 2000  
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#37  
 WAIVER  
 9-20-00  
 TCs

FILE NO: 10-142C3 ATTY: JGW  
 DUE DATE: 10-26-2000 ( 20001026 )  
 WHIZARD PROTECT/INIT: ( 20000831 )  
 ACTION: 10 RES PER: DK1  
 1:00 ORAL HEARING 2079

FILE NO: 10-142C3 ATTY: JGW  
 DUE DATE: 09-21-2000 ( 20000921 )  
 WHIZARD PROTECT/INIT: ( 20000831 )  
 ACTION: 10 RES PER: 21 D DK1  
 WAIVER OF ORAL HEARING DUE / 2077

**ICE OF HEARING****CONFIRMATION REQUIRED WITHIN TWENTY-ONE DAYS****10-142C3**

Your attention is directed to 37 CFR § 1.194(a).

The above identified appeal will be heard by the Board of Patent Appeals and Interferences on the date indicated. Hearings will commence at the time set and as soon as the argument in one appeal is concluded, the succeeding appeal will be taken up.

The time allowed for argument is twenty minutes unless additional time is requested and permitted before the argument is commenced.

**CONFIRMATION OR WAIVER OF THE ORAL HEARING IS REQUIRED.** This form must **BE COMPLETED BELOW** and filed with the Board of Patent Appeals and Interferences preferably by facsimile within **TWENTY-ONE (21) DAYS** from the mailing date of this notice, indicating confirmation or waiver of the hearing. A copy of this form may alternatively be filed by mail if facsimile is not available.

Failure to file this form within the above time period will be construed as a waiver of the request for oral hearing.

37 CFR § 1.136(a) does not apply.

By Order of the Board of Patent Appeals and Interferences.

**B.P.A.I. FAX No. is:**  
**(703) 308-7952 or (703) 308-7953**  
**See 1108 Off. Gaz. Pat. &**  
**Trademark Office 15 (Nov.14, 1989)**

**B.P.A.I. Mailing Address is:**  
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**WASHINGTON, D.C. 20231**

Clerk of the Board  
 (703) 308-9797

In all communications relating to this appeal, please identify the appeal by its number.

**CHECK ONE :** ☐ **HEARING ATTENDANCE CONFIRMED.**

☒ **HEARING WAIVED.**

Signature of Attorney/Agent/Appellant

Date

Registration No.